

Congress of the United States
Washington, DC 20515

October 28, 2020

The Honorable Michael J. Rigas
Acting Deputy Director for Management
Office of Management and Budget
725 17th Street, N.W.
Washington, D.C. 20503

The Honorable Michael J. Rigas
Acting Director
Office of Personnel Management
1900 E Street, N.W.
Washington, D.C. 20405

Dear Mr. Rigas:

We write with grave concerns about the executive order President Trump issued last Wednesday to create a new Schedule F category for federal employees.¹ The executive order is a harmful attack on the integrity of our government because it will permit the replacement of non-partisan civil servants with partisan Trump loyalists. Tellingly, it was developed in secret with no consultation whatsoever with our Committee, which has direct jurisdiction over the federal civil service.

We request that you immediately cease any activities related to the implementation of this executive order while the Committee obtains documents and information regarding the development of this policy and any analyses you or others have conducted estimating or assessing the potential effects of the executive order on federal employees, agency missions, and services on which the American people rely.

President Trump's executive order would undermine the foundation of our civil service—a cadre of non-partisan professionals who serve all Americans without regard to political party. These civil servants conduct scientific research for a coronavirus vaccine, develop the policies to fight fires that are ravaging Colorado and California, and assist families forced from their homes after natural disasters caused by climate change.²

The executive order purports to help managers remove poor performing employees, but it incorporates none of the multitude of remedies offered by experts.³ Instead, it seeks to undo

¹ Exec. Order No. 13957 (Oct. 21, 2020).

² *BARDA to Aid COVID-19 Clinical Trial*, Homeland Preparedness News (Oct. 22, 2020) (online at homelandprepnews.com/stories/56661-barda-to-aid-covid-19-clinical-trial/); *As Wildfires Explode in the West, U.S. Forest Service Can't Afford Prevention Efforts*, San Diego Union-Tribune (Oct. 21, 2020) (online at www.sandiegouniontribune.com/news/politics/story/2020-10-21/amid-worsening-wildfires-the-forest-service-is-short-of-funds-and-delaying-fire-prevention-work); *Trump's Environmental Rollbacks Find Opposition Within: Staff Scientists*, New York Times (Mar. 27, 2020) (online at www.nytimes.com/2020/03/27/climate/trumps-environmental-rollbacks-staff-scientists.html).

³ Government Accountability Office, *Issues Related to Poor Performers in the Federal Workplace* (June 2005) (online at www.gao.gov/products/GAO-05-812R); Government Accountability Office, *Federal Hiring:*

137 years of merit system hiring.⁴ It is a blatant return to patronage politics and a federal workforce based on cronyism and nepotism.

Eroding Expertise in Government

The executive order would erode due process protections for civil service employees and make it easier for the Administration to fire qualified individuals who base their professional opinions on evidence, science, and analysis. It would expedite the hiring of Trump loyalists and place them in roles best served by career civil servants. This action could multiply the number of political appointees within the federal workforce by tens of thousands and permit the mass firing of current federal employees who politically-appointed agency heads determine make “substantive contributions to executive branch policy.”⁵

The executive order would precipitate a mass exodus from the federal government at the end of every presidential administration, leaving federal agencies without deep institutional knowledge, expertise, experience, and the ability to develop and implement long-term policy strategies. It would be a critical loss for the American people.

Opposition from Stakeholders

Unions, trade associations, and good government groups resoundingly condemned this executive order. Everett Kelley, the President of the American Federation of Government Employees, which represents 700,000 federal and D.C. government workers, called the executive order “the most profound undermining of the civil service in our lifetimes.” He added:

Through this order, President Trump has declared war on the professional civil service by giving himself the authority to fill the government with his political cronies who will pledge their unwavering loyalty to him—not to America. By targeting federal workers whose jobs involve government policies, the real-world implications of this order will be disastrous for public health, the environment, the defense of our nation, and virtually every facet of our lives.⁶

OPM Needs to Improve Management and Oversight of Hiring Authorities (Aug. 2016) (online at www.gao.gov/products/GAO-16-521); Merit Systems Protection Board, *Improving Federal Hiring Through Better Assessment* (July 2018) (online at www.mspb.gov/MSPBSEARCH/viewdocs.aspx?docnumber=1534415&version=1540061&application=ACROBAT); Partnership for Public Service, *A Time for Talent: Improving Federal Recruiting and Hiring* (Aug. 2020) (online at ourpublicservice.org/wp-content/uploads/2020/08/A-Time-for-Talent.pdf).

⁴ Pendleton Civil Service Reform Act, Pub. L. No. 47-27.

⁵ Exec. Order No. 13957 (Oct. 21, 2020).

⁶ American Federation of Government Employees, *Trump Administration’s Order to Expand Excepted Service Opens Door to Political Cronyism, Largest Federal Employee Union Says* (Oct. 22, 2020) (online at www.afge.org/publication/trump-administrations-order-to-expand-excepted-service-opens-door-to-political-cronyism-largest-federal-employee-union-says/).

The nonpartisan Partnership for Public Service called the executive order “deeply troubling,” warning that it “not only blurs the line between politics and the neutral competency of the career civil service, it obliterates it.” Their statement continued:

The executive order does not articulate the underlying case for the new Schedule F job classification and provides more questions than answers, including the process for creating the executive order and who is covered by the changes. What is clear is that many federal human resource professionals inside and outside of government were neither consulted nor informed.⁷

The National Treasury Employees Union, which represents 150,000 federal employees, urged Americans to “ask themselves why this White House is so determined to override, undermine and get rid of veteran public servants who have dedicated their careers to serving the American people.”⁸

The Senior Executives Association, a professional organization representing Senior Executive Service members and other career Federal leaders, decried the executive order as an action consistent with “how the party-run governments of authoritarian-led countries are organized and staffed—by political leadership who historically succeed by serving an elite political class, rather than service to all citizens equitably.”⁹

The National Active and Retired Federal Employees Association (NARFE), an association founded in 1921 to defend and advance America’s civil service, said the executive order “demolishes the rule that civil servants are hired and fired based on merit, not political affiliation, a tradition that has served our country well since the late 1800s.”¹⁰

Developed in Secret Without Consultation with Congress or Agencies

The President issued this executive order two weeks before the election without consulting in any way with our Committee or the federal Chief Human Capital Officers Council, instead developing the proposal in secret without the benefit of any congressional or public scrutiny and apparently keeping many agencies and stakeholders in the dark.

According to a recent press report in the Washington Post, the President’s executive order “is the product of a four-year campaign by conservatives working from a little-known

⁷ Partnership for Public Service, *Partnership for Public Service Statement on Schedule F Executive Order* (Oct. 22, 2020) (online at ourpublicservice.org/publications/partnership-for-public-service-statement-on-schedule-f-executive-order/).

⁸ *New Executive Order Could Strip Civil Service Protections from ‘Wide Swaths’ of Federal Workforce*, Federal News Network (Oct. 22, 2020) (online at www.federalnewsnetwork.com/workforce/2020/10/new-executive-order-may-reclassify-wide-swaths-of-career-positions-as-political-appointees/).

⁹ *Governance Experts Assail White House Effort to Strip Federal Employees of Rights*, Government Executive (Oct. 22, 2020) (online at www.govexec.com/management/2020/10/governance-experts-assail-white-house-effort-strip-federal-employees-rights/169499/).

¹⁰ *Id.*

West Wing policy shop” led by “a young aide hired from the Heritage Foundation” named James Sherk, who coordinates labor policy for the White House’s Domestic Policy Council. This report explains that “Heritage alumni have played a role in shaping the White House’s policy on federal workers, making moves that have earned the full-throated support of the conservative group.” The report also states that you played a direct role:

In addition to Sherk—who worked as a research fellow at Heritage beginning in 2006—Heritage alum Michael Rigas has also worked to implement Trump’s push to overhaul federal workforce policy. Rigas, currently serving as the interim deputy director for management at the White House Budget office, has said publicly that the federal government needs to have more authority to take action against poor performers.¹¹

According to this report, the executive order “was not a last-minute idea or presidential whim, but instead “a crowning achievement of conservative policy on the civil service.” The report adds, “The White House began crafting the order a year ago, in such secrecy that senior officials across the government had no idea it was coming.”¹²

It remains unclear, however, to what extent the White House or federal agencies have analyzed the potential impacts of this proposal on federal workers and the agency missions they carry out. Implementing this new policy without conducting such analyses could have disastrous effects on the services on which the American people rely.

For example, this summer, the Trump Administration’s Postmaster General, GOP mega-fundraiser Louis DeJoy, rushed to implement a series of ill-conceived changes to postal operations that caused massive nationwide delays for mail, medicines, and other essential items.¹³ A recent Inspector General report concluded that Mr. DeJoy “did not complete a study or analysis of the impact the changes would make on mail prior to implementation.”¹⁴ In addition, despite Mr. DeJoy’s claims that he has now reversed his deficient policies—postal delays continue across the nation to this day.¹⁵

Similarly, according to the press report on the President’s recent executive order, “The White House has declined to say how many jobs would be swept into a class of employees

¹¹ *Trump’s Historic Assault on the Civil Service Was Four Years in the Making*, Washington Post (Oct. 23, 2020) (online at www.washingtonpost.com/politics/trump-federal-civil-service/2020/10/23/02fbf05c-1549-11eb-ba42-ec6a580836ed_story.html).

¹² *Id.*

¹³ Committee on Oversight and Reform, *New Postal Service Documents Show Nationwide Delays Far Worse Than Postal Service Has Acknowledged* (Aug. 22, 2020) (online at <https://oversight.house.gov/news/press-releases/new-postal-service-documents-show-nationwide-delays-far-worse-than-postal>).

¹⁴ United States Postal Service, Office of the Inspector General, *Operational Changes to Mail Delivery* (Report Number 20-292-R21) (Oct. 19, 2020) (online at www.uspsaig.gov/sites/default/files/document-library-files/2020/20-292-R21.pdf).

¹⁵ United States Postal Service, *Fiscal Year 2020 Q2-Fiscal Year 2021 Q1 To Date Weekly Service Performance—Market Dominant Products Through Week 10-10-20* (Oct. 22, 2020).

with fewer civil service rights.” The press report continues:

The directive was so controversial that only a handful of senior administration officials were involved in putting it together. On a call among chiefs of staff across the government Wednesday morning, the order did not come up, according to one official on the call, who spoke on the condition of anonymity because the person was not authorized to discuss internal meetings. On a separate call with about two dozen congressional aides Friday morning to discuss the executive order, officials with the Office of Personnel Management were unable to answer basic questions, several people on the call said.¹⁶

Trump Administration Legacy of Attacking the Civil Service

The Trump Administration has been attacking the non-partisan federal civil service for the past four years, but Congress has blocked many of its efforts. For example:

- Four Presidential budget proposals have sought to gut due process procedures for disciplining and firing employees, but Congress refused to implement them.¹⁷
- Since 2018, the Administration has repeatedly attempted to abolish the Office of Personnel Management and place control of merit-system principles within the highly politicized Executive Office of the President, attempts that repeatedly have been blocked by Congress.¹⁸

Without support from Congress, the Trump Administration has turned to other means to achieve its goals. For example:

- In May 2018, President Trump issued three executive orders targeting the federal collective bargaining process, including one that sought to remove federal employees’ due process rights.¹⁹

¹⁶ *Trump’s Historic Assault on the Civil Service Was Four Years in the Making*, Washington Post (Oct. 23, 2020) (online at www.washingtonpost.com/politics/trump-federal-civil-service/2020/10/23/02fbf05c-1549-11eb-ba42-ec6a580836ed_story.html).

¹⁷ Government Publishing Office, *Budget of the United States Government* (online at www.govinfo.gov/app/collection/BUDGET/) (accessed on Oct. 22, 2020).

¹⁸ Committee on Oversight and Reform, Subcommittee on Government Operations, *The Administration’s War on a Merit Based Civil Service* (May 21, 2019) (online at oversight.house.gov/legislation/hearings/trump-s-war-on-a-merit-based-civil-service/); Committee on Oversight and Reform, Subcommittee on Government Operation, *Document Production Status Update: OPM, FBI, and GSA* (June 27, 2019) (online at oversight.house.gov/legislation/hearings/document-production-status-update-opm-fbi-and-gsa/); *Abolish OPM? What the Administration’s Proposal Would Do*, Federal News Network (June 22, 2018) (online at federalnewsnetwork.com/commentary/2018/06/abolish-opm-what-the-administrations-proposal-would-do/).

¹⁹ Exec. Order Nos. 13836, 13837, 13838 (May 25, 2018) (online at www.whitehouse.gov/presidential-actions/) (accessed on Oct. 22, 2020).

- President Trump's pick to lead the Federal Labor Relations Board has repeatedly undermined decades of precedent and eroded collective bargaining rights and due process for federal employees.²⁰
- Trump Administration officials also have repeatedly attempted to politicize the civil service by routinely violating the Hatch Act, encouraging political speech, and silencing scientists.²¹

Request for Documents

This executive order is a direct attack on the crown jewel of this nation's government—our civil servants. These are the individuals in every community who have continued to serve throughout the coronavirus crisis. For these reasons, we demand an immediate stay on activities to implement this executive order while the Committee obtains information about its development and potential impacts. To this end, the Committee asks that you produce the following documents by November 11, 2020:

1. All documents and communications referring or relating to the development of the executive order;
2. All internal or external analyses conducted regarding the potential impacts of the executive order on:
 - a. federal employees;
 - b. agency missions;
 - c. services for the American people;
3. All communications with employees or officials from the Heritage Foundation regarding the executive order;
4. All communications with any officials at federal agencies seeking or obtaining their input, review, or advice on the executive order before it was issued; and

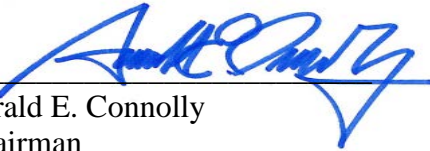
²⁰ *Labor Authority Abandons Decades of Precedent, Eviscerates Union Bargaining Rights*, Government Executive (Oct. 2, 2020) (online at www.govexec.com/management/2020/10/labor-authority-abandons-decades-precedent-eviscerates-union-bargaining-rights/168977/).

²¹ U.S. Office of Special Counsel, *Report of Prohibited Political Activity Under the Hatch Act* (May 30, 2019) (OSC File Nos. HA-19-0631 & HA-19-3395) (online at [osc.gov/Documents/Hatch%20Act/Reports/Report%20of%20Prohibited%20Political%20Activity,%20Kellyanne%20Conway%20\(HA-19-0631%20&%20HA-19-3395\).pdf](https://osc.gov/Documents/Hatch%20Act/Reports/Report%20of%20Prohibited%20Political%20Activity,%20Kellyanne%20Conway%20(HA-19-0631%20&%20HA-19-3395).pdf)); *Park Service Under Fire for Role in GOP Convention*, The Hill (Aug. 27, 2020) (online at thehill.com/policy/energy-environment/513856-park-service-under-fire-for-role-in-gop-convention); *Interior Whistleblowers Say Agency Has Sidelined Scientists Under Trump*, The Hill (July 25, 2019) (online at thehill.com/policy/energy-environment/454805-interior-whistleblowers-say-agency-has-sidelined-scientists-under).

5. All communications with any officials at federal agencies raising questions, concerns, or problems regarding the executive order after it was issued.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. If you have any questions regarding this request, please contact Committee staff at (202) 225-5051.

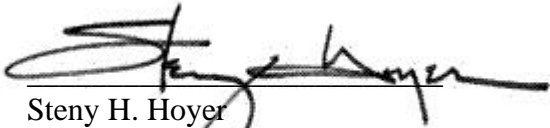
Sincerely,



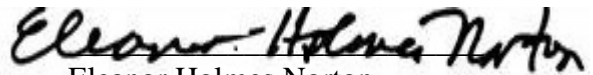
Gerald E. Connolly
Chairman
Subcommittee on Government Operations
Committee on Oversight and Reform



Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform



Steny H. Hoyer
House Majority Leader



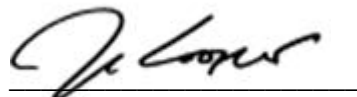
Eleanor Holmes Norton
Member of Congress



Wm. Lacy Clay
Member of Congress



Stephen F. Lynch
Member of Congress



Jim Cooper
Member of Congress



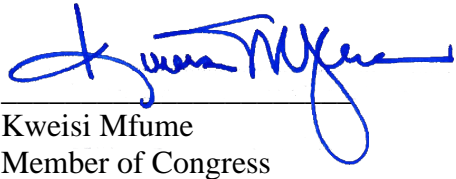
Raja Krishnamoorthi
Member of Congress



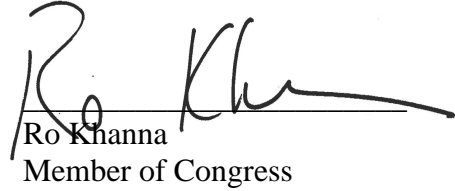
Jamie Raskin
Member of Congress



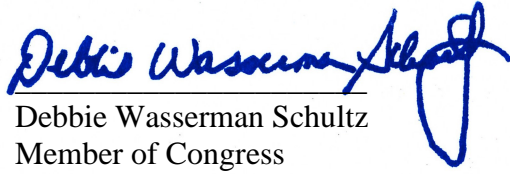
Harley Rouda
Member of Congress



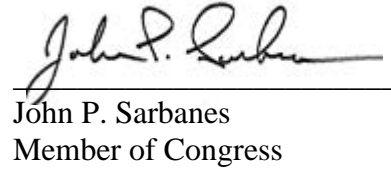
Kweisi Mfume
Member of Congress



Ro Khanna
Member of Congress



Debbie Wasserman Schultz
Member of Congress



John P. Sarbanes
Member of Congress



Peter Welch
Member of Congress



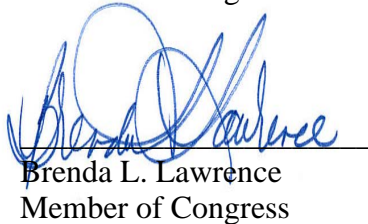
Jackie Speier
Member of Congress



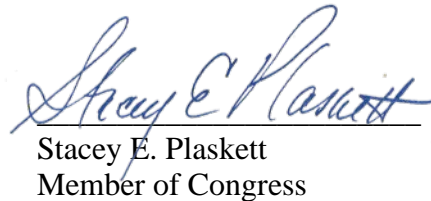
Robin L. Kelly
Member of Congress



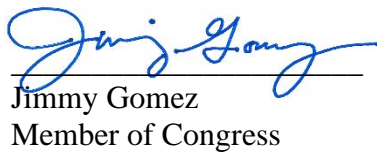
Mark DeSaulnier
Member of Congress



Brenda L. Lawrence
Member of Congress



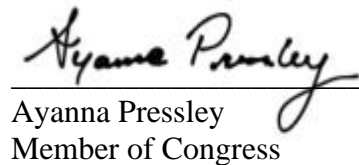
Stacey E. Plaskett
Member of Congress



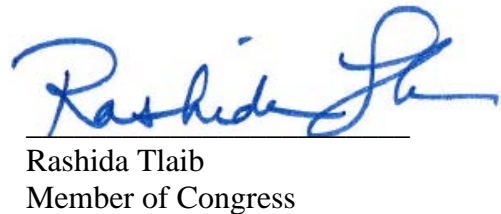
Jimmy Gomez
Member of Congress



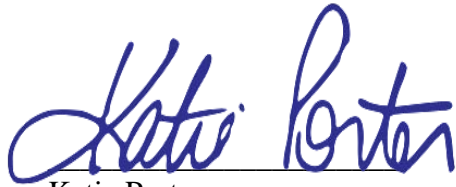
Alexandria Ocasio-Cortez
Member of Congress



Ayanna Pressley
Member of Congress



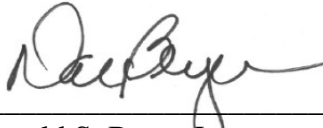
Rashida Tlaib
Member of Congress



Katie Porter
Member of Congress



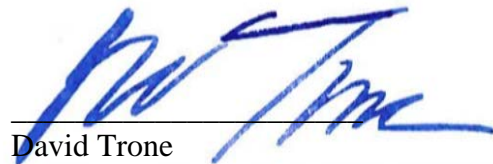
C.A. Dutch Ruppertsberger
Member of Congress



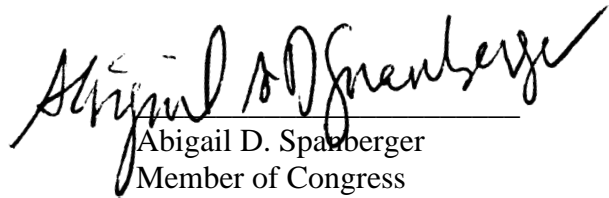
Donald S. Beyer Jr.
Member of Congress



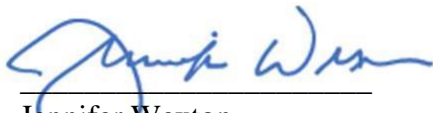
Anthony G. Brown
Member of Congress



David Trone
Member of Congress



Abigail D. Spanberger
Member of Congress



Jennifer Wexton
Member of Congress

Enclosure

cc: The Honorable James R. Comer, Ranking Member
Committee on Oversight and Reform

The Honorable Jody B. Hice, Ranking Member
Subcommittee on Government Operations

Responding to Oversight Committee Document Requests

1. In complying with this request, produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Committee.
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions.
5. Documents produced in electronic format should be organized, identified, and indexed electronically.
6. Electronic document productions should be prepared according to the following standards:
 - a. The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.
 - b. Document numbers in the load file should match document Bates numbers and TIF file names.
 - c. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - d. All electronic documents produced to the Committee should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD,

INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION,
BEGATTACH.

7. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.
8. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
9. When you produce documents, you should identify the paragraph(s) or request(s) in the Committee's letter to which the documents respond.
10. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
11. The pendency of or potential for litigation shall not be a basis to withhold any information.
12. In accordance with 5 U.S.C. § 552(d), the Freedom of Information Act (FOIA) and any statutory exemptions to FOIA shall not be a basis for withholding any information.
13. Pursuant to 5 U.S.C. § 552a(b)(9), the Privacy Act shall not be a basis for withholding information.
14. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production.
15. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) every privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the privilege(s) asserted.
16. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control.
17. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

18. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
19. All documents shall be Bates-stamped sequentially and produced sequentially.
20. Two sets of each production shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2105 of the Rayburn House Office Building.
21. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

Definitions

1. The term “document” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term “communication” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic

message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, or otherwise.

3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information that might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neutral genders.
4. The term “including” shall be construed broadly to mean “including, but not limited to.”
5. The term “Company” means the named legal entity as well as any units, firms, partnerships, associations, corporations, limited liability companies, trusts, subsidiaries, affiliates, divisions, departments, branches, joint ventures, proprietorships, syndicates, or other legal, business or government entities over which the named legal entity exercises control or in which the named entity has any ownership whatsoever.
6. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual’s complete name and title; (b) the individual’s business or personal address and phone number; and (c) any and all known aliases.
7. The term “related to” or “referring or relating to,” with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is pertinent to that subject in any manner whatsoever.
8. The term “employee” means any past or present agent, borrowed employee, casual employee, consultant, contractor, de facto employee, detailee, fellow, independent contractor, intern, joint adventurer, loaned employee, officer, part-time employee, permanent employee, provisional employee, special government employee, subcontractor, or any other type of service provider.
9. The term “individual” means all natural persons and all persons or entities acting on their behalf.